



February 24, 2014

ENGROSSED SENATE BILL No. 50

DIGEST OF SB 50 (Updated February 24, 2014 12:55 pm - DI 104)

Citations Affected: IC 25-8.

Synopsis: Minors and tanning devices. Prohibits a person less than 16 years of age from using a tanning device in a tanning facility. Repeals a provision requiring a person less than 16 years of age to be accompanied by a parent or guardian when using a tanning device in a tanning facility. Repeals the tanning facility committee. (The introduced version of this bill was prepared by the health finance commission.)

Effective: July 1, 2014.

**Miller Patricia, Charbonneau,
Landske, Stoops, Randolph, Mrvan**
(HOUSE SPONSORS — ZENT, BROWN C, BACON, LAWSON L)

January 7, 2014, read first time and referred to Committee on Health and Provider Services.

January 9, 2014, amended, reported favorably — Do Pass.

January 21, 2014, read second time, amended, ordered engrossed.

January 22, 2014, engrossed.

January 23, 2014, read third time, passed. Yeas 30, nays 17.

HOUSE ACTION

February 10, 2014, read first time and referred to Committee on Public Health.

February 24, 2014, amended, reported — Do Pass.

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February 24, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED SENATE BILL No. 50

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-8-15.4-2 IS REPEALED [EFFECTIVE JULY
2 1, 2014]. ~~Sec. 2: As used in this chapter, "committee" refers to the~~
3 ~~tanning facility committee that may be established under section 21 of~~
4 ~~this chapter.~~
- 5 SECTION 2. IC 25-8-15.4-12 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. An operator of a
7 tanning facility shall **prominently** display a sign approved by the board
8 in a manner that is clearly visible to a person using the tanning devices
9 in the tanning facility.
- 10 SECTION 3. IC 25-8-15.4-15 IS REPEALED [EFFECTIVE JULY
11 1, 2014]. ~~Sec. 15: A person who is less than sixteen (16) years of age~~
12 ~~must be accompanied by a parent or guardian when using a tanning~~
13 ~~device in a tanning facility.~~
- 14 SECTION 4. IC 25-8-15.4-16 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) **A person who**
16 **is less than sixteen (16) years of age may not use a tanning device**

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1 in a tanning facility.

2 (b) A person who is **at least sixteen (16) years of age but** less than
3 eighteen (18) years of age may not use a tanning device in a tanning
4 facility unless the parent or guardian of the person has also signed the
5 written statement under section 11 of this chapter in the presence of the
6 operator of the tanning facility.

7 SECTION 5. IC 25-8-15.4-21 IS REPEALED [EFFECTIVE JULY
8 1, 2014]. Sec. 21: (a) The board may establish the tanning facility
9 committee:

10 (b) If the board establishes the committee under subsection (a), the
11 committee consists of five (5) members appointed by the president of
12 the board for terms of two (2) years. The committee must include the
13 following:

14 (1) One (1) member of the board:

15 (2) One (1) owner of a licensed tanning facility who is licensed as
16 a cosmetologist under IC 25-8-4:

17 (3) One (1) owner of a licensed tanning facility who does not hold
18 any other license under this article:

19 (4) One (1) physician or other licensed health care provider who
20 works in the area of dermatology:

21 (5) One (1) individual who is not associated with a tanning
22 facility or a profession licensed under this article other than as a
23 consumer:

24 (c) If the board establishes the committee under this section, the
25 president of the board shall appoint one (1) of the committee members
26 to serve as chairman of the committee:

27 SECTION 6. IC 25-8-15.4-22 IS REPEALED [EFFECTIVE JULY
28 1, 2014]. Sec. 22: A member of the committee may be removed by the
29 board without cause:

30 SECTION 7. IC 25-8-15.4-23 IS REPEALED [EFFECTIVE JULY
31 1, 2014]. Sec. 23: (a) The committee may propose rules to the board
32 concerning the following:

33 (1) The operation of tanning devices:

34 (2) The implementation of this chapter:

35 (b) The board may adopt rules under IC 4-22-2 that are
36 recommended by the committee:



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 50, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 2, delete "safe".

and when so amended that said bill do pass.

(Reference is to SB 50 as introduced.)

MILLER PATRICIA, Chairperson

Committee Vote: Yeas 8, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 50 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-8-15.4-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. An operator of a tanning facility shall **prominently** display a sign approved by the board in a manner that is clearly visible to a person using the tanning devices in the tanning facility."

Renumber all SECTIONS consecutively.

(Reference is to SB 50 as printed January 10, 2014.)

MILLER PATRICIA

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 50, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-8-15.4-2 IS REPEALED [EFFECTIVE JULY

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1, 2014]. Sec. 2: As used in this chapter, "committee" refers to the tanning facility committee that may be established under section 21 of this chapter."

Page 2, delete lines 3 through 10, begin a new paragraph and insert:

"SECTION 5. IC 25-8-15.4-21 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 21: (a) The board may establish the tanning facility committee:

(b) If the board establishes the committee under subsection (a); the committee consists of five (5) members appointed by the president of the board for terms of two (2) years. The committee must include the following:

- (1) One (1) member of the board.
- (2) One (1) owner of a licensed tanning facility who is licensed as a cosmetologist under IC 25-8-4.
- (3) One (1) owner of a licensed tanning facility who does not hold any other license under this article.
- (4) One (1) physician or other licensed health care provider who works in the area of dermatology.
- (5) One (1) individual who is not associated with a tanning facility or a profession licensed under this article other than as a consumer.

(c) If the board establishes the committee under this section; the president of the board shall appoint one (1) of the committee members to serve as chairman of the committee.

SECTION 6. IC 25-8-15.4-22 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 22: A member of the committee may be removed by the board without cause.

SECTION 7. IC 25-8-15.4-23 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 23: (a) The committee may propose rules to the board concerning the following:

- (1) The operation of tanning devices.
- (2) The implementation of this chapter.

(b) The board may adopt rules under IC 4-22-2 that are recommended by the committee."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 50 as reprinted January 22, 2014.)

CLERE, Chair

Committee Vote: yeas 9, nays 0.

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